

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Steven Chase,

Civil No. 04-1500 (RHK/JSM)

Plaintiff,

ORDER

v.

Jim Flinn, John E. Potter, United States
Postal Service,

Defendants.

The above matter comes before the Court upon the Report and Recommendation of
United States Magistrate Judge Janie S. Mayeron dated December 5, 2005. Timely
Objections have been filed to that Report and Recommendation.

The Court has reviewed the Report and Recommendation and the Objections thereto.
That review satisfies the undersigned that the recommended dismissal of Plaintiff's
Complaint is supported by the record before Judge Mayeron. In addition, Judge Mayeron
applied existing case law and controlling legal precedent. Accordingly, based upon all the
files, records and proceeding herein, **IT IS ORDERED:**

1. The Objections (Doc. No. 36) are **OVERRULED**;
2. The Report and Recommendation (Doc. No. 35) is **ADOPTED**;
3. Defendants' Motion for Summary Judgment (Doc. No. 20) is **GRANTED**; and

4. Plaintiff's Amended Complaint (Doc. No. 9) is **DISMISSED WITH
PREJUDICE.**

Dated: January 6, 2006

s/Richard H. Kyle
RICHARD H. KYLE
United States District Judge